

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Application No.: 09/892,859

**REMARKS**

Claims 1,2, 4-11 and 13-15 are all the claims pending in the application.

Applicants amend Claims 1 and 11 by incorporating the subject matter of Claim 12, drawn to the preferred embodiment where the conductive layer has a thickness of from  $1 \times 10^{-4}$  to  $0.007 \mu\text{m}$ , into independent Claims 1 and 11. No new matter has been added. Entry of the amendment is respectfully requested.

Claim 3 and Claim 12 are canceled.

Reconsideration and review of the claims on the merits are respectfully requested.

***Examiner's Response to Applicants' Amendments/Arguments***

The rejections based on 35 U.S.C. § 102 and 103 have been withdrawn based on the previous Amendment. However, new rejections based on 35 U.S.C. § 103 have been added by the Examiner.

The Examiner states that arguments with respect to Claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 U.S.C. § 103***

**Claims 1-3 and 5-15** have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Dai Nippon in view of Lee based on the reasons given in a previous Office Action along with the following comments by the Examiner.

The Examiner states that Dai Nippon teaches that antistatic layers are formed by mixing an antistatic agent with a thermoplastic resin and using extrusion coating, melt extrusion coating, calendar coating, roll coating, or spraying processes to apply the layer. The Examiner recognizes that a deposition or vacuum deposition process is not noted in Dai Nippon. However, the Examiner asserts that Lee teaches vacuum coating as a coating method used in microelectronics to prevent pinholes and porosity found in conventional spread coating techniques, and that Lee teaches polymeric coatings to be vacuum deposited including those using PTFE, polyethylene, nylon, polyesters, polystyrene, and other thermoplastics. It is the Examiner's position that it would have been *prima facie* obvious to use a vacuum deposition method by the teaching of Lee to provide cover tapes for electric devices having improved appearance due to prevention of pinholes and porosity.

**Claim 4** has been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Dai Nippon in view of Hsu et al<sup>1</sup>, as applied to claims 1-3 and 5-15 above, and further in view of Temin.<sup>2</sup>

The Examiner recognizes that Dai Nippon fails to mention the inclusion of a base polymer and a tackifier in specific amounts. The Examiner states that the Encyclopedia of Polymer Science and Engineering teaches that all rubber-based adhesives require tackifiers to

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<sup>1</sup> The reference to Hsu et al appears to be in error as the Examiner may have intended to cite Lee instead. Hsu et al has not been previously cited.

<sup>2</sup> "Temin" refers to the reference previously referred to as Encyclopedia of Polymer Science and Engineering. Samuel C. Temin is listed as the author or editor of the section "Pressure-Sensitive Adhesives and Products" in Vol. 13 of the noted encyclopedia.

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Application No.: 09/892,859

impart stickiness, and that rubber-based adhesives comprise 60-110 parts per 100 parts of elastomer, while acrylic PSAs do not require as much. Since Dai Nippon assertedly suggests the use of rubber- and acrylic-based PSAs, it is the Examiner's position that it would have been *prima facie* obvious to include a tackifier in the base resins in any amount necessary to optimize the tack of the adhesive.

Applicants respond as follows.

Applicants submit that the subject matter of dependent Claim 12 is patentable over the cited references. Applicants amend Claims 1 and 11 by incorporating the subject matter of Claim 12, drawn to the preferred embodiment where the conductive layer has a thickness of from  $1 \times 10^{-4}$  to  $0.007 \mu\text{m}$ , into independent Claims 1 and 11.

Dai Nippon fails to disclose or teach the criticality of such range of thickness of the conductive layer. Applicants' specification discloses that the parameters of the conductive layer thickness control the performance of the cover tape. With a less than  $1 \times 10^{-4} \mu\text{m}$  thickness, the static electricity preventing effect is lowered. With a more than  $0.02 \mu\text{m}$  thickness, although the static electricity preventing effect is high, the transparency is deteriorated or the adhesive property with respect to the carrier tape is lowered, and thus it is not preferable (See specification, page 15, first full paragraph). Furthermore, Applicants' Example 1 supports a conductor layer thickness of  $0.007 \mu\text{m}$ .

The rejection of dependent Claims 2-10 and 12-15 is traversed based on at least the patentability of the independent Claims 1 and 11.

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U.S. Application No.: 09/892,859

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a).

*Conclusion*

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



John K. Shin  
Registration No. 48,409

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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